

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11573-RWZ

ANTHONY P. SCAPICCHIO

v.

MOUNT AUBURN PROFESSIONAL SERVICES, et al.

SCHEDULING ORDER

November 15, 2004

ZOBEL, D. J.

This matter having come before the court at a scheduling conference held pursuant to Rule 16, Fed. R. Civ. P., 28 U.S.C., and John S. Day having appeared as counsel for plaintiff Anthony P. Scapicchio; and Philip M. Cronin having appeared as counsel for defendant Mount Auburn Professional Services, et al., the following action was taken:

1. Plaintiff agreed to compute the total potential loss and decide whether he will proceed with the lawsuit. He shall notify defendant and the court of his decision by December 17, 2004.
2. If the case proceeds, defendant shall assemble the administrative record and provide a copy thereof to plaintiff by December 17, 2004.
3. Cross motions for summary judgment shall be filed on or before January 21, 2005; oppositions are due by February 4, 2005. The court will decide on the papers.

DATE

/s/ Rya W. Zobel
RYA W. ZOBEL

UNITED STATES DISTRICT JUDGE